

The House Committee on Agriculture and Consumer Affairs offers the following substitute to HB 1439:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide application of minimum standard building codes, codes requiring adoption by municipality or county, adoption of more stringent requirements by local governments, and adoption of standards for which state code does not exist, so as to provide an exemption for certain farm buildings or structures; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide application of minimum standard building codes, codes requiring adoption by municipality or county, adoption of more stringent requirements by local governments, and adoption of standards for which state code does not exist, is amended by adding a new subsection to read as follows:

"(e)(1) As used in this subsection, the term:

(A) 'Agriculture,' 'agricultural operations,' or 'agricultural or farm products' has the meaning provided by Code Section 1-3-3.

(B) 'Farm' means real property or a portion thereof used for agricultural operations.

(C) 'Farm building or structure' means a building or structure that is located on a farm; not used for residential purposes; not intended primarily for public use; and used primarily for or in connection with agricultural operations, including but not limited to any one or more of the following uses:

(i) Storage, sheltering, raising, handling, or production of agricultural or farm products or waste by-products thereof;

(ii) Business or office uses relating to agricultural operations, with an occupancy load of fewer than 11 people;

(iii) Use of farm machinery or equipment or maintenance or storage of vehicles, machinery, or equipment used on the farm;

(iv) Storage or use of feed, supplies, or materials used on the farm; or

(v) Implementation of best management practices associated with agricultural operations.

(2) Farm buildings or structures shall be exempt from the state minimum standard building codes provided for in subdivisions (9)(B)(i)(I) and (9)(B)(i)(IX) of Code Section 8-2-20 and any amendment thereto adopted by the department pursuant to Code Section 8-2-23 or by a municipality or county pursuant to Code Section 8-2-25."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.